

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DENNIS MONTGOMERY, et al.,)	3:06-CV-0056-PMP (VPC)
)	
Plaintiffs,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	July 11, 2008
)	
ETREPPID TECHNOLOGIES, et al.))	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PETITIONER(S): NONE APPEARING

COUNSEL FOR RESPONDENT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

At the hearing on June 17, 2008, the parties were ordered, in part, as follows:

Ms. Klar shall coordinate with the FBI concerning a possible review of a video tape of the search warrant return by no later than Monday, June 30, 2008. Thereafter, if an evidentiary hearing is not necessary, Ms. Klar shall file a notice so advising the Court no later than Monday, June 30, 2008. If an evidentiary hearing is required, Ms. Klar shall file such notice requesting a hearing no later than Monday, June 30, 2008, and an evidentiary hearing shall be set. Counsel for the government is directed to advise Gregory Addington, Assistant United States Attorney, of this issue and that Special Agent Michael West's testimony will be required at the hearing.

(#700, pg. 4).

On June 30, 2008, the Montgomery parties filed a response to the court's order and requested an evidentiary hearing be set (#716). The United States filed a status report on July 9, 2008 and also requested an evidentiary hearing in this case and the search warrant case, 3:06-CV-0263 (#738).

Based upon the responses filed by counsel, the court directs Assistant U.S. Attorney Greg Addington to be present at the discovery status conference scheduled for July 15, 2008 at 9:00 a.m. for the purpose of considering how the court will proceed with the scheduling of an evidentiary hearing.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Deputy Clerk